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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,499	09/14/2000	Juergen Stark	2150/21	8756
7590 12/06/2004				
Baniak Pine & Gannon 150 N. Wacker, Suite 1200 Chicago, IL 60606			EXAMINER BRUCKART, BENJAMIN R	
			ART UNIT 2155	PAPER NUMBER

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.

09/661,499

Applicant(s)

STARK ET AL.

Examiner

Benjamin R Bruckart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-37 and 66-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-37 and 66-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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Detailed Action

Claims 32-37, 66-71 are pending in this Office Action.

Election/Restrictions

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claims 1-31, 38-65, 72-76 must be canceled.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 35 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 35 recites the limitation "said receiver's name and endpoint" on line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim. Does applicant mean user's name or endpoint?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 32-37, 66-71 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No 5,742,763 by Jones.

Regarding claim 32, a communications platform that enables individual users to receive electronic messages from corporations and others (Jones: col. 12, lines 18-23) comprising a nickname-based routing system (Jones: col. 3, lines 10-21), said nickname-based routing system comprising logic for: *(col. 5, line 63) (M)*

receiving an electronic message (Jones: col. 3, lines 10-21; the message delivery service must receive a message to deliver it; Figure 2, tag 600);

parsing the electronic message to determine a designation for a user (Jones: col. 4, lines 25-64; message delivery service operates by policies with handles);

parsing the electronic message to determine a nickname of an endpoint designated in the electronic message (Jones: col. 4, lines 33, lines 52-64);

accessing a database to determine an address and type of an endpoint designated in the electronic message (Jones: col. 5, lines 65- col. 6, lines 16);

formatting at least a portion of the electronic message based on the determined

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type of endpoint (Jones: col. 6, lines 50-57; col. 8, lines 54-57); and

sending at least a portion of the formatted message to the determined address of the endpoint (Jones: col. 8, lines 41-63; col. 2, lines 26-30; Fig. 2, tag 500).

Regarding claim 33, the communications platform in claim 32, wherein said endpoint comprises an electronic mail box, a wired or wireless telephone, a facsimile machine, a paging device, or a personal digital assistant (Jones: col. 5, lines 38-44; col. 6, lines 43-49).

Regarding claim 34, the communications platform in claim 33, wherein said nickname-based routing system comprises at least one address containing a nickname (Jones: col. 5, lines 57-64).

Regarding claim 35, the communications platform in claim 34, wherein said nickname comprises information pertaining to said receiver's name and endpoint (Jones: col. 5, lines 57-64; lines 39-49).

Regarding claim 36, the communications platform in claim 35, wherein said nickname further comprises information pertaining to said endpoint (Jones: col. 5, lines 57-64; lines 39-49).

Regarding claim 37, the communications platform in claim 36, wherein said information pertaining to said endpoint comprises a telephone number, a facsimile number, a pager number, an electronic address or a resident address (Jones: col. 5, lines 38-44; col. 6, lines 43-49).

Regarding claim 66, the communications platform in claim 32, wherein the electronic message is addressed to the communications platform (Jones: col. 12, lines 24-30; message has to be received by the receiving unit).

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Regarding claim 67, the communications platform in claim 32, wherein the designation for the user comprises a user's name (Jones: col. 4, lines 52-64).

Regarding claim 68, the communications platform in claim 32, wherein the nickname is selected from the group consisting of phone and fax (Jones: col. 6, lines 43-49; col. 5, lines 38-43).

Regarding claim 69, the communications platform in claim 32, wherein the nickname was previous designated by the user (Jones: col. 4, lines 25-29, lines 52-54; registered by entity).

Regarding claim 70, the communications platform in claim 32, wherein determining a type of endpoint to route the electronic message to is further based on the designation for the user (Jones: col. 5, lines 39-49).

Regarding claim 71, the communications platform in claim 32, wherein determining an address of the endpoint comprises accessing the database to determine the address of the endpoint based on the nickname and based on the designation for the user (Jones: col. 5, lines 65- col. 6, line 16).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number 571-272-3982. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone numbers for

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the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-3982.

Benjamin R Bruckart
Examiner
Art Unit 2155

brb

DRB

December 2, 2004


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER